

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON FISH, WILDLIFE AND PARKS**

**Call to Order:** By **CHAIRMAN JOE BALYEAT**, on January 28, 2003 at 3:00 P.M., in Room 102 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Joe Balyeat, Chairman (R)  
Rep. George Golie, Vice Chairman (D)  
Rep. Michael Lange, Vice Chairman (R)  
Rep. Debby Barrett (R)  
Rep. Paul Clark (D)  
Rep. Jill Cohenour (D)  
Rep. George Everett (R)  
Rep. Tom Facey (D)  
Rep. Daniel Fuchs (R)  
Rep. Steven Gallus (D)  
Rep. Carol Gibson (D)  
Rep. Gail Gutsche (D)  
Rep. Larry Jent (D)  
Rep. Bob Lake (R)  
Rep. Don Roberts (R)  
Rep. Allen Rome (R)  
Rep. Scott Sales (R)  
Rep. Jim Shockley (R)  
Rep. Pat Wagman (R)  
Rep. Sandy Weiss (D)

**Members Excused:** None.

**Members Absent:** None.

**Staff Present:** Kathleen Ely, Committee Secretary  
Doug Sternberg, Legislative Branch

**Please Note:**

**Video-taped Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. A video-taped recording of the meeting is available from the Montana Historical Society.

**Committee Business Summary:**

Hearing & Date Posted: HB 306, 1/17/2003  
Executive Action: HB 20, DO PASS, 20-0  
HB 32, DO PASS AS AMENDED, 19-1  
HB 99, DO PASS, 16-4

3:01 p.m. **CHAIRMAN BALYEAT** relinquished the chair to **REP. LANGE**.

**HEARING ON HB 306**

**Sponsor:** REP. BALYEAT, HD 32, BOZEMAN

**Opening Statement by Sponsor:**

3:01 p.m. **REP. BALYEAT**

**EXHIBIT**(fih18a01)

**EXHIBIT**(fih18a02)

**EXHIBIT**(fih18a03)

**Proponents' Testimony:**

3:11 p.m. **Gary Marbut, Montana Shooting Sports Association**

3:19 p.m. **Bob Davies, Bozeman**

3:21 p.m. **Fred Easy, Member, Prickly Pear Sportsmen Association**

3:23 p.m. **Garrett Bacon, Prickly Pear Sportsmen Association**

3:24 p.m. **Bill Titty**

3:27 p.m. **Randy Newberg**

3:28 p.m. **Gilda Clancy, Montana Womens' Shooting Association**

3:29 p.m. **Bill Garrity, Helena**

3:30 p.m. **Vito Quatraro, Chairman, Gallatin County Fishing Association**

3:32 p.m. **Bob Gilbert, Montana Walleyes Association**

3:33 p.m. **Dave Arvans, Helena**

3:33 p.m. **Jan Kubasko, Montana Shooting Sports Association**

3:33 p.m. **Mark Donovan, Financial Planner**

3:34 p.m. Doug Thielmann, Bozeman

3:35 p.m. Elaine Mann, Broadwater County Commissioner

3:35 p.m. Fred Upchurch

**Opponents' Testimony:**

3:36 p.m. Bob Lane, Chief Counsel, Fish, Wildlife and Parks  
**EXHIBIT**(fih18a04)

3:45 p.m. John Youngberg, Montana Farm Bureau, Montana  
Stockgrowers

3:46 p.m. Bill Orsello, Montana Wildlife Federation

3:50 p.m. John Gibson, Billings Rod and Gun Club

3:52 p.m. Duane Kalie, Montana Bowhunters Association

3:53 p.m. Ron Moody, Lewistown

4:59 p.m. Janet Ellis, Montana Audubon Society  
**EXHIBIT**(fih18a05)

4:05 p.m. Jean Johnson, Montana Guides and Outfitters Association

4:08 p.m. John Wilson, Montana Trout Unlimited

4:12 p.m. Robin Cunningham, Montana Fishing Outfitters

4:13 p.m. Marilyn Rehnquist

4:19 p.m. REP. LANGE

**Questions from Committee Members and Responses:**

4:21 p.m. REP. FUCHS

4:22 p.m. CHAIRMAN BALLYEAT

4:26 p.m. REP. FUCHS

4:27 p.m. Marilyn Rehnquist

4:29 p.m. REP. CLARK

4:29 p.m. John Bloomberg

4:30 p.m. REP. CLARK

4:30 p.m. John Bloomberg

4:31 p.m. REP. CLARK

4:31 p.m. Bob Lange

4:32 p.m. REP. CLARK

4:32 p.m. Bob Lange

4:34 p.m. REP. JENT

4:35 p.m. Bob Lange

4:36 p.m. REP. JENT

4:37 p.m. Bob Lange

4:39 p.m. CHAIRMAN BALYEAT

**Closing by Sponsor:**

4:45 p.m. REP. BALYEAT

4:54 p.m. CHAIRMAN BALYEAT resumes the Chair.

**HEARING ON HB 129**

**Sponsor:** REP. GUTSCHE, HD 66, MISSOULA

**Opening Statement by Sponsor:**

4:56 p.m. REP. GUTSCHE

**EXHIBIT**(fih18a06)

**Proponents' Testimony:**

4:59 p.m. Bob Lane, Department of Fish, Wildlife and Parks

**EXHIBIT**(fih18a07)

5:00 p.m. John Wilson, Montana Trout Unlimited

5:04 p.m. Robin Cunningham, Fishing Outfitters Association of  
Montana

5:04 p.m. Nathan Birkeland, Montana Wildlife Federation

**Opponents' Testimony:** None.

**Questions from Committee Members and Responses:**

5:05 p.m. REP. GOLIE

5:05 p.m. Bob Lane

**Closing by Sponsor:**

5:06 p.m. REP. GUTSCHE

**EXECUTIVE ACTION ON HB 32**

HB 32 was previously amended by the Committee on January 16, 2003.

**Motion:** REP. GOLIE moved that HB 32 DO PASS AS AMENDED.

5:12 p.m. REP. FACEY

5:12 p.m. REP. GOLIE

5:13 p.m. CHAIRMAN BALYEAT

5:13 p.m. REP. GIBSON

5:13 p.m. REP. GUTSCHE

5:13 p.m. REP. GOLIE

5:14 p.m. REP. GUTSCHE

5:14 p.m. REP. GOLIE

5:15 p.m. REP. GUTSCHE

5:15 p.m. REP. GOLIE

5:16 p.m. REP. CLARK

5:18 p.m. CHAIRMAN BALYEAT

**Vote:** Motion that HB 32 DO PASS AS AMENDED carried 19-1 with REP. GUTSCHE voting no by voice vote.

**EXECUTIVE ACTION ON HB 20**

**Motion:** REP. SHOCKLEY moved that HB 20 DO PASS.

5:22 p.m. REP. SALES

5:22 p.m. REP. GOLIE

5:23 p.m. REP. GIBSON

5:23 p.m. CHAIRMAN BALLYEAT

5:24 p.m. REP. GOLIE

5:24 p.m. CHAIRMAN BALLYEAT

5:24 p.m. REP. GOLIE

5:25 p.m. CHAIRMAN BALLYEAT

5:24 p.m. REP. GOLIE

5:25 p.m. REP. SHOCKLEY

5:25 p.m. REP. CLARK

5:28 p.m. REP. BALLYEAT

**Motion:** 5:28 p.m. REP. CLARK moved that HB 20 BE AMENDED.

5:28 p.m. REP. GOLIE

5:28 p.m. REP. SHOCKLEY

5:30 p.m. CHAIRMAN BALLYEAT

5:28 p.m. Chris Smith, Department of Fish, Wildlife and Parks

5:29 p.m. REP. CLARK WITHDREW his MOTION that HB 20 BE AMENDED

**Vote:** 5:30 p.m. Motion that HB 20 DO PASS carried unanimously by roll call vote with REPS. GOLIE and GALLUS voting yes by proxy.

**EXECUTIVE ACTION ON HB 99**

**Motion:** 5:31 p.m. **REP. GOLIE** moved that **HB 99 DO PASS.**

5:36 p.m. **REP. FACEY**

5:36 p.m. **REP. EVERETT**

5:36 p.m. **REP. GOLIE**

5:38 p.m. **REP. FUCHS**

5:39 p.m. **CHAIRMAN BALLYEAT**

5:36 p.m. **REP. FACEY**

**Vote:** 5:37 p.m. Motion that **HB 99 DO PASS** carried 16-4 with **REPS. BARRETT, GUTSCHE, LANGE, and SHOCKLEY** voting no by voice vote with **REPS. GOLIE and GALLUS** voting yes by proxy.

**ADJOURNMENT**

Adjournment: 5:42 P.M.

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REP. JOE BALYEAT, Chairman

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KATHLEEN ELY, Secretary

JB/KE

**EXHIBIT** (fih18aad)